

Massachusetts Water Resources Commission

Meeting Minutes for May 8, 1997

Commission Members in Attendance:

Marilyn Contreas	Designee, Department of Housing and Community Development
Joseph McGinn	Designee, Metropolitan District Commission
Jane Mead	Designee, Coastal Zone Management
Arleen O'Donnell	Designee, Department of Environmental Protection
Mark Tisa	Designee, Department of Fisheries, Wildlife and Environmental Law Enforcement
Mark P. Smith	Designee, Secretary of Environmental Affairs
Richard Thibedeau	Designee, DEM
Peter Webber	Commissioner, DEM
Robert Zimmerman	Public Member

Others in Attendance:

Lou Wagner	MA Audubon
Mike Gildesgame	DEM, Office of Water Resources
Deborah Graham	DEM, Office of Water Resources
Steve DeGabriele	DEP, ERP
Gretchen Roorbach	Massachusetts Water Resources Authority
Russ Cohen	Riverways Program, DFWELE

Agenda Item #1: Executive Director's Report

Smith reported that:

1. The Senior Management Watershed Retreat was held over a 3 day period to look at the watershed initiative (WI) weaknesses and improve its implementation. Cadmus consulting identified issues but more needed to be addressed. Consensus was reached on the following:

Basin Teams Teams will continue to have a broad membership consisting of stream teams, local watershed council, core basin team and a larger team. Full-time basin team leaders, located in their basin will be employed by EOEA, not agencies. Leaders and others working on a team will have responsibilities put in their EPRS. Each region will have a regional coordinator which may be combined with the duties of an existing team leader or carried out on a rotating basis.

5-year and Annual Work plans Each team will write a plan which, when approved, becomes a contract between the team and the agencies providing the resources necessary for plan implementation and EOEA. The plan also may include MOUs with non-profits and other entities outside of state agencies.

"Roundtable" It was decided at the retreat that a forum was needed where the resource allocation decisions among basin teams can be decided. This "roundtable" would be made up of

Commissioners and/or others with decision-making authority and would review budget and other resource requests from the teams and make recommendations to the Secretary. The Water Resources Commission is being considered as a possible group to serve as the Roundtable. The retreat also suggested that this body be assisted by a Watershed Coordinator with some staff assistance. Once resources allocation decisions are made by the Secretary, the Commissioners will direct their agencies to give internal support, particularly staff required to complete watershed work plans.

Science & Technical Support There will be a Science and Technology Center established to provide the needed technical support to the teams, including modeling, setting standards and assuring quality control, and possibly an electronic based library for data.

A transition team will continue to work out the details. Thibedeau added that in the interim, the basin teams will keep moving forward in their work.

2. A summer intern will be hired for WRC duties

3. Duxbury, Mayflower II Water Supply. Smith distributed responses to clarify the record regarding the Massachusetts Audubon Society and Duxbury on the impacts of the well.

Agenda Item #2: Adoption of Meeting minutes of April 10, 1997

Postponed. Minutes will be mailed out subsequently.

Agenda Item #4: Environmental Results Program at DEP

DeGabriele described the ERPs new approach to setting environmental performance standards which involves moving from detailed permit conditions to performance standards, integrating air, water, solid waste and other programs at one industry. This eliminates a permit, converting it into a performance standard with assurances through annual certification and audit. The program does not diminish environmental standards in any way and provides a compliance assistance workbook to give industry a step by step way to achieve compliance.

DEP is close to completing the regulations for photoprocessors and dry cleaners. DeGabriele passed out the Environmental Notification Form, Executive Order 384 Checklist and draft regulations. They will combine MEPA process with public hearings. He will return in June to seek WRC approval depending on how the hearings go.

Veale asked how DEP can certify that you are in full compliance if you go over limit once or twice. Although a limit may be exceeded, this is actually more stringent than in the current system when it is only tested when DEP does an actual inspection. Now, a corporate official is signing under oath that the company is in compliance and that they have the systems in place to stay in compliance.

Agenda item #3: Draft Generic Environmental Impact Report on Eutrophication and Aquatic Plant Management in Massachusetts

Gildesgame explained the GEIR process, which has involved state agencies and the private and non-profit sectors. Most of the work was done by UMass Amherst under direction of an Advisory committee which has met for two years. The report will provide guidelines for conservation commissions and lake managers in techniques of lake management and protection, and makes recommendations on policy, funding, education and data collection. It details limnology and lake processes, case studies of lake management techniques in Massachusetts, nutrient control and, aquatic plant control methods.

The draft is being finalized and should go to MEPA in 6 weeks. The WRC will be sent the 600-plus page draft for review after the CAC has made its final comments. Although each agency was on the CAC, not each division was represented. It should still be reviewed carefully for policy and program content.

Training workshops and a summary document/workbook will follow. Arleen suggested that the MACC help develop the 10 to 15 page summary and training. Bob Zimmerman offered graphics services of Gary Bardon from his staff to work on images.

Agenda Item #5: 25-Year River Protection Plan: Discussion of Preliminary Report and comments for next draft.

Smith reported that the draft was finished in February, and he is seeking guidance from the Commission on how to proceed. He will meet with Rep. Petersen to find out his expectations and will scope out who is to be involved.

Cohen's understanding is that the Rivers Act is largely proactive for future actions, not to correct past mistakes. He suggested that it is a good time to ask where the Act fits in to restore rivers and what, in addition to the Act, will be needed to help river restoration. Land acquisition should be attempted in areas that can form links between already protected sections. Sediments, sewer assistance in form of state revolving fund and instream flow should be considered.

O'Donnell said that the Plan was not intended to show how to spend money in the rivers bill but rather show what additional monies would be required. She suggested asking Rep. Petersen for help, explaining what the legislature can do in the future. The "Rivers Campaign" should also be asked.

McGinn suggested asking Basin Team Leaders for what information is needed for work plans, and identifying which state lands are already mapped and may be protected by the Act or especially where they are not protected through the Act.

Mead feels it would be useful to have a resource economist look at incentives or tax issues that can be used, such as buying development rights instead of buying land outright.

Webber sees this as a great chance for a visionary document and suggested they work with John Lipman and the Growth Initiative. As a 25-year plan, it should be an ongoing planning effort to carry out this part of the rivers act so make it a living document. He feels that it's more likely that a

document like this will actually be read. He also suggested that the plan include water conservation.

O'Donnell said the regulations have a provision that eliminates alternatives analysis requirements for proponents proposing a basin wide river protection plan. Is there a better way to do this and give more predictability to developers? Each of the 27 basins could have a riverfront basin plan. Planning by basin may be appealing to legislators. The regs will be sent out shortly in a special mailing. The comment period closes before the June WRC meeting.

Meeting minutes approved 6/12/97

DLG